

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

MAR 09 2018

Clerk, U S District Court
District Of Montana
Billings

CHRISTINE COLLIER, also known as
Christine Parkinson, VICTORIA
“VICKI” COLLIER, and NATHAN
COLLIER,

Plaintiffs,

vs.

TIM FOX, in his official capacity as
Attorney General of Montana, STEVE
BULLOCK, in his official capacity as
Governor of Montana, SCOTT
TWITO, in his official capacity as
Yellowstone County Attorney, and
TERRY HALPIN, in her official
capacity as Clerk of the Yellowstone
County District Court,

Defendant.

CV 15-83-BLG-SPW

ORDER ADOPTING
FINDINGS AND
RECOMMENDATIONS

Before the Court are United States Magistrate Judge Timothy Cavan’s Findings and Recommendations filed on February 22, 2018. (Doc. 99). Judge Cavan recommends that this Court grant Defendants’ Motion for Summary Judgment (Doc. 67), deny the Colliers’ Motion for Summary Judgment (Doc. 75) and Motion in Limine (Doc. 73), and deny the Defendants’ Motion to Strike (Doc. 92).

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. No objections were filed. When neither party objects, this Court reviews Judge Cavan's Findings and Recommendations for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by United States Magistrate Judge Cavan (Doc. 99) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (Doc. 67) is GRANTED.

IT IS FURTHER ORDERED that the Colliers' Motion for Summary Judgment (Doc. 75) is DENIED. Accordingly, the Colliers' Motion in Limine (Doc. 73) and the Defendants' Motion to Strike Previously Undisclosed Evidence (Doc. 92) are DENIED as moot.

DATED this 26 day of March, 2018.


SUSAN P. WATTERS
United States District Judge